

CITY OF SANTA ROSA
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL
FROM: GABE OSBURN, DIRECTOR, PLANNING AND ECONOMIC
DEVELOPMENT DEPARTMENT
SUBJECT: PURA VIDA RECOVERY SERVICES APPEAL

AGENDA ACTION: RESOLUTION

RECOMMENDATION

The Planning Commission and the Planning and Economic Development Department recommend that the Council, by resolution, deny two appeals and uphold the decision of the Planning Commission to approve a Minor Conditional Use Permit to allow a 24-bed Community Care Facility at 5761 Mountain Hawk Drive, suites 201-207. This item has no impact on current fiscal year budget.

EXECUTIVE SUMMARY

The project includes a request for a Minor Conditional Use Permit to operate a 24-bed Community Care Facility on the second floor of an existing mixed-use building at 5761 Mountain Hawk Drive, where a 6-bed facility is currently operating. The use is a non-medical residential addiction treatment facility with services including, but not limited to, monitoring and observing clients during the detoxification process, providing addiction education, and relapse prevention services. During a public hearing held on November 13, 2025, the Planning Commission approved a Minor Conditional Use Permit for the proposed use by a vote of 4-2-1, with two members voting no and one member absent. On November 24, 2025, two appeals of the Planning Commission's decision were received from two separate appellants. The grounds for appeal in the Appeal Forms include: 1) The Planning Commission did not adequately address or analyze environmental impacts pursuant to the California Environmental Quality Act, including impacts to traffic and noise; 2) the proposed project is incompatible with the low-density residential character of the neighborhood; and 3) the applicant misrepresented the nature of the business operation, including number of staff and quality of care provided onsite.

GOAL

This item relates to Council Goal #4 - Foster a Safe, Healthy, and Inclusive Community and encourages the expansion of services and treatment, enhancing the well-being of the Santa Rosa community and beyond.

BACKGROUND/PRIOR COUNCIL REVIEW

On July 22, 2022, pursuant to [Zoning Code Section 20-23.030, Table 2-6](#), a Zoning Clearance was issued for the operation of a Community Care Facility for six or fewer clients on the second floor of the existing mixed-use building in units 201 and 202 (ZC22-0202).

On August 1, 2022, an application for a Minor Conditional Use Permit was submitted requesting approval of a 24-bed Community Care Facility on the second floor of the existing mixed-use building, utilizing seven existing residential units for non-medical residential care for the addicted, including, but not limited to, monitoring and observing clients during the detoxification process, providing addiction education and relapse prevention services (CUP22-045).

Pursuant to [Zoning Code Section 20-50.020, Table 5-1](#), the review authority for a Minor Conditional Use Permit is the Zoning Administrator.

Pursuant to [Zoning Code Section 20-50.020\(A\)\(1\)](#), the Zoning Administrator may defer action on any decision assigned to the Zoning Administrator and refer the request to the Planning Commission.

Pursuant to [Zoning Code Section 20-52.050\(E\)\(2\)](#), Zoning Administrator meetings are noticed as public meetings, unless a public hearing is requested in writing by any interested person before the specified date for the decision.

On October 10, 2022, a public meeting notice was sent for CUP22-045, identifying a Zoning Administrator meeting date of October 20, 2022.

On October 12, 2022, a written request was received for a public hearing for CUP22-045, and the item was continued to allow for the public hearing noticing.

On October 31, 2022, City staff met with several members of the adjacent residential neighborhood to discuss the proposal under application CUP22-045, at which time the neighbors stated their concerns and opposition to the proposed project.

Due to the amount of interest generated by the surrounding neighborhood, including concerns and opposition to the proposed project, the item was referred to the Planning Commission for action.

On December 8, 2022, the Planning Commission held a public hearing on the Minor Conditional Use Permit application. A motion was made to adopt the draft resolution of approval for the project; however, the motion failed by a vote of 0-5-2, with five Commissioners voting no and two Commissioners absent. Direction was provided to

City staff to return to a future meeting with a resolution of denial based on the comments provided by the Commission during the meeting.

On January 26, 2023, the Minor Conditional Use Permit application was withdrawn at the request of the applicant. As a result, a resolution of denial did not return to the Commission.

On April 12, 2023, a Zoning Clearance was issued for continuing operation of a Community Care Facility for six or fewer clients on the second floor of the existing mixed-use building in units 201 and 202, with the addition of an accessory office space and workspace in unit 203 (ZC23-0099).

On February 27, 2025, a new Zoning Clearance was issued (ZC25-0073), maintaining the maximum of six clients and expanding the use to all of the units, allowing for private client bedrooms and additional recreational and office space.

On May 5 2025, a new Minor Conditional Use Permit application was received for a 24-bed Community Care Facility to be located at 5761 Mountain Hawk Drive, units 201-207.

On November 13, 2025, the Planning Commission held a public hearing on the Minor Conditional Use Permit application and adopted a resolution of approval by a vote of 4-2-1, with two Commissioners voting no and one Commissioner absent.

On November 24, 2025, two Appeal Forms were received appealing the Planning Commission's action.

ANALYSIS

The Planning Commission staff report (Attachment 10) includes the project analysis. The following focuses on the grounds for appeal included in the Appeal Forms.

Pursuant to Zoning Code Chapter 20-62, appeals of decisions made by the Planning Commission shall be evaluated by the City Council. The Council may consider any issue involving the matter that is the subject of the appeal, in addition to the specific grounds for appeal.

The Appellants set forth the following grounds for appeal in the appeal statements filed on November 24, 2025, which are provided as Attachment 12.

1. **Grounds for Appeal:**

Kelsey Maynard Appeal: "Planning Commission failed to adequately address environmental impacts of the proposed project. Environmental review failed to adequately address or analyze environmental impacts pursuant to CEQA, including traffic, noise."

Skyhawk United, A California Mutual Benefit Nonprofit Corporation, Appeal:

“Planning Commission failed to adequately address environmental impacts of the proposed project. Environmental review failed to adequately address or analyze environmental impacts pursuant to CEQA, including traffic, noise, general plan consistency and zoning.”

Response:

The proposed project was reviewed in compliance with the California Environmental Quality Act (CEQA) and qualifies for the following exemptions:

- The Project is exempt from CEQA pursuant to CEQA Guidelines section 15332:

The project is categorically exempt pursuant to CEQA Guidelines Section 15332 because it is an in-fill project. The following details how the project aligns with the criteria listed in CEQA Guidelines Section 15332 (subds. a-e):

- a. The project is consistent with Santa Rosa General Plan 2035, which was in effect at the time the project was deemed complete on May 5, 2025, as well as General Plan 2050, which was adopted by the City Council on June 3, 2025, and is consistent with the City of Santa Rosa Zoning Code. The project site has a General Plan land use designation of Retail and Business Services and Medium Density Residential, which allows a maximum residential density of 8 to 18 units per acre and allows retail and service enterprises, offices, and restaurants. Community care facilities are permitted in all General Plan land use designations, and the project will not allow additional density beyond what is allowed by General Plan 2050. Further, consistent with goals and policies within General Plan 2050, the proposed 24-bed community care facility would provide housing and non-medical treatment for people dealing with addiction, and would support both the existing business and the health of the community by expanding the existing 6-bed facility, allowing increased access to addiction treatment and services.

The project site is zoned CN-SR (Neighborhood Commercial – Scenic Road). The CN zoning district is applied to areas within and adjacent to residential neighborhoods appropriate for limited retail and service centers for convenience shopping. Zoning Code Section 20-23.030, Table 2-6, further identifies the specific land uses that are allowed within the City’s commercial zoning districts, including in the CN district. The allowed land uses and permitting requirements for the CN zoning district were established based on the above stated purpose of the district. Consistent with State law and the Santa Rosa General Plan, the Zoning Code allows Community Care Facilities – 6 or fewer clients by right and Community Care Facilities – 7 or more clients with the approval of a Minor Conditional Use Permit in the CN district. The project has been found in compliance

with the Zoning Code as it relates to community care facilities.

- b. The Project is located within the City of Santa Rosa jurisdiction, on a project site of no more than five acres substantially surrounded by urban uses. The subject site is approximately 1.21 acres in size, and is located within an existing shopping center surrounded by urban residential development.
 - c. The project site is currently developed with a mixed-use commercial building and a parking lot, and does not have any habitat value for endangered, rare, or threatened species.
 - d. The Project will not result in any significant effects relating to traffic, noise, air quality, or water quality. The Trip Generation Assessment prepared by W-Trans, dated November 16, 2022, concludes the Project would result in a less-than-significant transportation impact on vehicle miles traveled (VMT), and the City's Traffic Engineering Division has reviewed the proposal, confirmed the findings, and requested no additional Traffic Study. The proposed Project will occupy an existing building, with no proposed physical expansion. Any necessary tenant improvement work will take place inside the existing building. The facility does not propose any exterior uses or activities and will be required to comply with the City's noise ordinance. The residential units will be occupied by clients of the facility and will be utilized in the same manner as a traditional residential use, therefore the use will not have any additional impacts on noise, air quality, or water quality; and
 - e. The Project site is located in a developed area where it can be adequately served by all required utilities and public services. City staff have reviewed the plans and conditioned the project appropriately.
- The Project is exempt from CEQA pursuant to CEQA Guidelines section 15301:

The project is categorically exempt pursuant to CEQA Guidelines Section 15301 because the project is located within an existing structure involving a negligible expansion of an existing use that will not result in significant impact(s). The proposed residential community care facility will utilize the existing residential units located on the second floor of the existing mixed-use structure. The proposal does not include any request to expand the existing building. The existing residential units will be occupied by clients of the facility and will be utilized in the same manner as a traditional residential use.

- The Project is exempt from CEQA pursuant to CEQA Guidelines section 15183:

The project is statutorily exempt from CEQA pursuant to Section 15183, because it is consistent with General Plan 2050 for which an Environmental Impact Report (EIR) was certified by the City Council on June 3, 2025 and an

Addendum to the EIR was adopted by Council on February 24, 2026. The proposed project was submitted on May 5, 2025 and was deemed complete on May 7, 2025, prior to the adoption of General Plan 2050. At that time, the project was reviewed and found to be consistent with General Plan 2035, for which an EIR was certified by Council.

This section of CEQA specifically mandates that projects which are consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. The proposed residential care facility will include operation of a 24-bed Community Care Facility on the second floor of an existing mixed-use building, which will provide non-medical residential addiction treatment with services including, but not limited to, monitoring and observing clients during the detoxification process, providing addiction education, and relapse prevention services. The project site has a General Plan land use designation of Retail and Business Services and Medium Density Residential, which allows a maximum residential density of 8 to 18 units per acre and allows retail and service enterprises, offices, and restaurants. Community care facilities are permitted in all General Plan land use designations, and the project will not allow additional density beyond what is allowed by General Plan 2050. In addition, the project will further numerous goals, policies and actions within General Plan related to providing housing and non-medical treatment for people dealing with addiction and supporting existing business and the health of the community by expanding the existing 6-bed facility, allowing increased access to addiction treatment and services. There are no impacts peculiar to the project that were not previously analyzed in the EIR or require additional environmental analysis.

- The City has further determined that no exceptions to the exemptions apply and there is no reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances (CEQA Guidelines Section 15300.2.).

2. **Grounds for Appeal:**

Kelsey Maynard and Skyhawk United Appeals: “The proposed project is incompatible with the low-density residential character of the neighborhood.”

Response:

The use is proposed to occupy seven existing residential apartment units within the multi-tenant commercial, mixed-use building (Skyhawk Village). The first floor of the center is comprised of various commercial uses, including a restaurant/bar, a fitness center, coffee shop, offices and other small retail and service uses. Skyhawk Village is located at the southwest corner of Highway 12 and Mountain Hawk Drive, at the southern edge of the Skyhawk residential neighborhood. The

site is not within the low-density residential neighborhood, it is within a commercial center on a site zoned for commercial and residential uses, and is physically separated from the nearest single-family residential properties by Skyhawk Creek and Park. As noted above, Chapter 2 of the [General Plan](#) (Land Use and Economic Development) describes community care facilities, among other uses, as “compatible accessory uses” to the primary residential uses in residential areas. Additionally, Table 6-6 of the [Housing Element](#) and [Table 2-2](#) of the Zoning Code both identify community care facilities as a residential housing type.

Based on State law, the City’s General Plan, and Zoning Code regulations, residential care facilities, including the proposed Pura Vida facility, are consistent with residential areas.

3. **Grounds for Appeal:**

Kelsey Maynard Appeal: “The applicant misrepresented the nature of the business operations including number of staff and quality of care provided onsite.”

Response:

Staff is not aware of any misrepresentation of the proposed operations of the facility, number of staff, or of the care that will be provided. In the project description (Attachment 3), the applicant provides details regarding the future operation of a 24-bed facility, including the number of staff, services provided, and the structure of their program. Furthermore, the attached draft resolution contains several binding conditions of approval regarding the number of staff, hours that new clients may be admitted, and client supervision.

If future operation of the facility is found to be inconsistent with the project description or with the conditions of approval, the operator may be subject to code enforcement action and potentially revocation of the Use Permit.

FISCAL IMPACT

Approval of this action does not have a fiscal impact on the General Fund.

ENVIRONMENTAL IMPACT

The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and has been found exempt pursuant to Sections 15183, 15301, and 15332, as outlined in the attached draft resolution.

BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

On November 13, 2025, the Planning Commission approved the project by a vote of 4-2-1, with two members voting no and one member absent. The findings for this decision

PURA VIDA RECOVERY SERVICES APPEAL
PAGE 8 OF 8

are presented in Planning Commission Resolution No. PC-RES-2025-017 (Attachment 9). Staff's analysis of the required findings for approval of the project remains unchanged and can be found in the draft resolution for consideration by the Council.

NOTIFICATION

The Appeal was noticed as a public hearing for the March 24, 2026, City Council meeting per the requirements of Chapter 20-66 of the City Code. Notification of the public hearing was provided by posting an on-site sign, publishing notice in a newspaper of general circulation, mailed notice to surrounding property owners and occupants, electronic notice to parties that had expressed interest in projects taking place in this geographic area of Santa Rosa, and bulletin board postings at City Hall and on the City website.

Pursuant to Government Code Section 65091, where necessary, the City has incorporated notice procedures to the blind, aged, and disabled communities. These procedures include audio amplifier/assistive listening device support at public meetings, closed captioning, and optical character recognition conversion of electronic notices.

ATTACHMENTS

- Attachment 1 – Disclosure Form
- Attachment 2 – Neighborhood Context Map
- Attachment 3 – Project Description
- Attachment 4 – Floor Plan
- Attachment 5 – Parking Map
- Attachment 6 – Trip Generation Assessment, dated 11/16/2022
- Attachment 7 – Public Comments since 11/13/2025
- Attachment 8 – Public Comments for 11/13/2025 Planning Commission
- Attachment 9 – Planning Commission Resolution No. PC-RES-2025-017
- Attachment 10 – Planning Commission Staff Report
- Attachment 11 – Planning Commission Minutes for 11/13/2025
- Attachment 12 – Appeal Forms (Kelsey Maynard and Skyhawk United)
- Resolution

PRESENTER(S)

Sachnoor Bisla, City Planner